



#3 T.D MP 44
PATENT

ATTORNEY DOCKET NO.: 056622-5001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Jan SUNNER et al.)
Application No.: 10/083,647) Group Art Unit: 2881
Filed: February 27, 2002) Examiner: Unassigned

For: METHOD AND APPARATUS TO PRODUCE GAS PHASE ANALYTE IONS

Commissioner of Patents
BOX MISSING PARTS
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed March 19, 2002.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

4. Small Entity Status

Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00
<input type="checkbox"/> five months	\$1,960.00	\$980.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

Applicants believe that no extension of time is required. However, in the event applicant has inadvertently overlooked the need for a petition and fee for extension of time, applicants hereby petition for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation

				Fee Code
			Basic Fee	\$740.00
			at a Rate of (Lg./Sm.Entity)	101/201
Total Claims	55 - 20 =	35	\$18/\$9 each=	\$630.00
Independent Claims	3 - 3 =	0	\$84/\$42 each=	\$ 101/202
Multiple dependent claim(s), if any			\$280/\$140	\$ 104/204
			SUB-TOTAL =	\$
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))			\$110/\$55 (1 Month) \$400/\$200 (2 Months) \$920/\$460 (3 Months) \$1440/\$720 (4 Months) \$1960/\$980 (5 Months)	115/215 116/216 117/217 118/218 \$ 128/228
			SUB-TOTAL =	\$1500.00
			Reduction by 1/2 for filing by a small entity	\$750.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$ 139
Assignment Recordation Fee			\$ 40.00	\$ 581
			TOTAL FILING FEE =	\$750.00

8. Fee Payment

Please charge Deposit Account No. 50-0310 in the amount of \$750.00 representing the total fee due.

The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.

Preliminary Amendment

Submission of Formal Drawings with _____ sheets of drawings

Claim for Priority

Certified copy of priority document:

Information Disclosure Statement

Form PTO-1449, _____ references as listed

Declaration of Biological Deposit

Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Other: _____

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP



Samuel P. Burkholder
Reg. No. 40,541

Date: May 9, 2002

CUSTOMER NO. 09629

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MAY 09 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

#3 Page 1 of 1

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/083,647	02/27/2002	Jan Sunner	056622-5001

009629
MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

RECEIVED

MAR 22 2002

MORGAN, LEWIS & BOCKIUS LLP

FORMALITIES LETTER



OC00000007665495

Date Mailed: 03/19/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$315.
 - \$315 for 35 total claims over 20.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 750.**

*A copy of this notice **MUST** be returned with the reply.*

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/13/2002 RHEBRAHT 00000017 500310 10083647

01 FC:201 370.00 CH
02 FC:203 315.00 CH
03 FC:205 65.00 CH

Docketed 3-22-02 Attorney MVF/SPB
Case 56622-5001
Due Date 5-19-02
Action Missing Parts
By SDW Chk PSB